

ORDINANCE NO 2008-5

WHEREAS, the Town of Rico Board of Trustees has the authority to vacate streets or portions of streets under C.R.S. sec. 31-15-702 and Ordinance No. 275;

WHEREAS, the Van Winkle Subdivision has been approved by the Board of Trustees of the Town of Rico;

WHEREAS, the Van Winkle Subdivision is necessary to reconfigure lots in order to conduct environmental remediation of the area surrounding the historic Van Winkle Head Frame in conjunction with the State of Colorado's Voluntary Clean-up plan;

WHEREAS, the finalization of the Van Winkle Subdivision requires the transfer of property between the various lots owners within the Subdivision;

WHEREAS, as part of this transfer of property, Garfield Street has been realigned, necessitating the vacation of a portion of the former street;

WHEREAS, the vacated portion of Garfield Street will be conveyed from the Town to adjacent landowners in exchange for the landowners' conveyance of property to meet the requirements of the Van Winkle Subdivision lot reconfiguration and the new alignment of Garfield Street as set forth herein.

**NOW THEREFORE BE IT ORDAINED** by the Board of Trustees of the Town of Rico as follows:

**SECTION 1.**

I. That a portion of Garfield Street located in the Town of Rico shall be vacated as depicted on the Van Winkle Subdivision Final Plat Map. A legal description of the vacated portion of Garfield Street is set forth in Exhibit A attached hereto.

II. That the vacated portion of Garfield Street shall be conveyed to the owners of Lots 7 and 8 as set forth in the Van Winkle Subdivision Plat and Landowner Agreements.

**SECTION 2.**

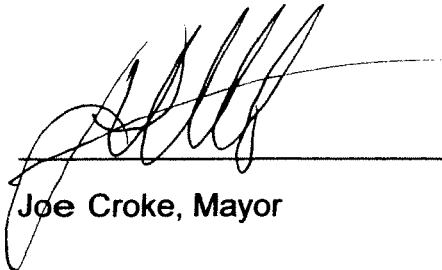
This Ordinance shall be effective immediately upon final adoption and publication.

**SECTION 3.**

This Ordinance shall be posted at the Town Hall, Post Office, and on the Town's Website.

INTRODUCED, READ AND ADOPTED UPON FIRST READING ON AUGUST 20<sup>TH</sup>, 2008.


INTRODUCED, READ, AND FOLLOWING A PUBLIC HEARING, ADOPTED ON SEPTEMBER 17th, 2008.



---

Joe Croke, Mayor

ATTEST:



---

Linda Yellowman, Town Clerk